

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
BENCH AT AURANGABAD.**

WRIT PETITION NO.640 OF 2017

Akash S/o Umesh Chavan,
Age 21 years, Occ.Education,
R/o Plot No.47, Adarsh Nagar,
Mohadi Road, Jalgaon,
Tq. and Dist.Jalgaon.

... Petitioner.

Versus

1. The State of Maharashtra,
through Secretary,
Higher and Technical
Education Department,
Mantralaya, Mumbai-32.

2. The Director of Technical
Education, Maharashtra State,
Mumbai.

3. The District Caste
Verification Committee,
Jalgaon, Tq. and Dist.
Jalgaon, through its
Member Secretary,
Dr.Babasaheb Ambedkar
Samajik Nyaybhavan,
2nd floor, In front of
Mayadevi Temple,
Mahabal Road, Jalgaon.

4. The Govt. Engineering
College, Jalgaon, National
Highway No.6, Jalgaon,
Tq. and Dist.Jalgaon,
through its Principal.

... Respondents.

...
Mr.A.D.Pawar, advocate for the petitioner.
Mr.R.B.Bagul, A.G.P. for the State.

...

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.**

Date : 24.01.2017.

ORAL JUDGMENT (Per S.V.Gangapurwala, J.)

1. Heard.

2. Rule. Rule returnable forthwith. With the consent of the parties, the petition is taken up for final hearing.

3. Mr.Pawar, learned counsel submits that validation proceedings in respect of the petitioner belonging to Kunbi OBC is pending with the Committee and abruptly, Respondent No.4 College has cancelled the admission of the petitioner. The said action is illegal. The petitioner in fact, had taken admission to the 2nd year Engineering course and has attended the classes till December 2016.

4. Learned A.G.P. on instructions submits that the inquiry in the validation proceedings is concluded.

5. As the validation proceedings were pending, it was inappropriate to cancel the admission of the petitioner. The Respondent No.4 could have taken further course of action depending upon the judgment that would be delivered by the Committee.

6. In light of the above, we pass the following order :

a) The impugned communication dated 26.12.2016, cancelling the admission of the petitioner is quashed and set aside. The Respondent shall allow the petitioner to continue with the course. The Respondent No.4 can take further decision depending upon the judgment that would be delivered by the Committee in the validation proceedings.

b) Rule accordingly made absolute in above

terms. No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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